

HUTCH U. FALE (USB # 11189)
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**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION**

TREVOR KELLEY,

Plaintiff,

v.

EASTBAY HOSPITALITY GROUP,
LLC, a Utah Limited Liability Company,

Defendant.

ANSWER

Civil Case No.: 2:18-cv-00677

Judge:

COMES NOW Defendant EastBay Hospitality Group, LLC, (“Defendant”) by and through counsel undersigned, and, hereby answers Plaintiff’s Complaint as follows:

1. Defendant admits that it operates a business at 1515 South University Drive, Provo, UT, but denies all other allegations set forth in paragraph 15 of Plaintiff’s Complaint.
2. Defendant avers that the statutory provisions referenced in Plaintiff’s Complaint speak for themselves and hereby denies any and all allegations set forth in Plaintiff’s Complaint not specifically admitted in the foregoing paragraph.

OTHER DEFENSES & RESERVATION

Plaintiff's claims are barred by the doctrines of estoppel, unclean hands, laches, waiver, and failure to state a claim. All other defenses not stated herein are hereby reserved.

CONCLUSION

For the foregoing reasons, Defendant respectfully requests that the Court refuse all claims asserted in Plaintiff's Complaint, and that Plaintiff take nothing thereby.

RESPECTFULLY SUBMITTED this 1st day of October, 2018.

AVERY BURDSAL & FALE, PC

/s/Hutch U. Fale

Hutch U. Fale
Attorney for Defendant

Certificate of Service

I hereby certify that on this 1st day of October, 2018, I did cause a true and correct copy of the foregoing Answer to be served upon the following via the Court's ECF system:

James K. Ord
PO Box 16688
Salt Lake City, UT 84116
James.ord@theOrdFirm.com

/s/

Hutch U. Fale